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September 13, 1988

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Mr. Paul Marchessault  
U.S. Environmental Protection Agency  
P.O. Box 3409  
Reston, VA 22091

Superfund Records Center  
SITE: Coakley  
BREAK: 11.9  
OTHER: 559669

Re: Request for Information Pursuant to Section 104 of CERCLA  
and Section 3007 of RCRA for the Coakley Landfill Site in  
North Hampton, New Hampshire

Dear Mr. Marchessault:

Please be advised that this firm represents Mr. Mitchell A. Hyder f/d/b/a Hyder Construction of 214 Woodbury Avenue, Portsmouth, New Hampshire 03801. Mr. Hyder has requested that this office respond to your inquiry of August 10, 1988 in reference to the above-described matter.

The following constitutes the information requested pursuant to Requests 1 through 7 (labeled "General Information"):

1. Mitchell A. Hyder.
2. Mitchell A. Hyder and Edward A. Hyder.
3. No documents were consulted, examined or referred to in the preparation of any answer herein.
4. Upon information and belief, there are no other persons able to provide a more detailed or complete response to these Requests beyond those specifically noted herein.
5. Mitchell A. Hyder, Edward A. Hyder, William A. Hyder, Scott Matthews, Scott Anderson and Mr. C.E. Fitch are the only persons who, upon information and belief, may have knowledge or information regarding the disposal or other handling of non-hazardous materials at, or transportation of non-hazardous materials to the Coakley Landfill Site (hereinafter referred to as "the Site").
6. Beyond the information noted herein, Mr. Hyder is currently unaware of the existence of any additional information responsive to these Information Requests.
7. No previous Information Request letter has been received and, therefore, no previous answers have been given.

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The following constitutes the information requested pursuant to Requests 8 through 13 (labeled "Financial/Corporate Information"):

8. Mitchell A. Hyder f/d/b/a Hyder Construction. 214 Woodbury Avenue, Portsmouth, NH 03801.

9. Not applicable.

10. Not applicable.

11. Respondent's business was a small construction firm which is presently inactive. Its basic operation was to act as a general contractor by engaging sub contractors to perform work and included very little actual direct construction activity or direct handling of materials. At no time whatsoever has the Respondent's business generated, used, purchased, treated, stored, disposed of or otherwise handled hazardous materials at, or transported hazardous materials to the Site.

12. Respondent respectfully declines to respond to Request #12 pursuant to U.S. v. Charles George Trucking Co., 624 F. Supp. 1185 (D.C. Mass. 1986).

13. Respondent respectfully declines to respond to Request #13 pursuant to U.S. v. Charles George Trucking Co., 624 F. Supp. 1185 (D.C. Mass. 1986).

The following constitutes the information requested pursuant to Requests 14 through 15 (labeled "Generator/Transporter Information"):

14.(a) All non-hazardous materials accepted for transportation to the Site were generated by Mitchell A. Hyder f/d/b/a Hyder Construction in the process of unloading furniture from cardboard boxes.

(b) A minimum of three and a maximum of five dump truck loads of cardboard boxes were transported by Mitchell A. Hyder f/d/b/a Hyder Construction, pursuant to permit secured from the City of Portsmouth, to the Site over a period of approximately one week in early to mid 1980. At no time whatsoever were any further materials transported by the Respondent to the Site.

(c) Absolutely no hazardous materials were accepted at any time whatsoever by the Respondent for transportation to the Site, nor were any hazardous materials whatsoever at any time actually transported to the Site by the Respondent.

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- (d) Not applicable
- (e) Not applicable
- (f) Not applicable
- (g) Not applicable
- (h) Not applicable
- (i) Not applicable
- (j) Not applicable
- (k) Not applicable
- (l) Not applicable
- (m) Not applicable
- (n) Not applicable
- (o) Not applicable
- (p) Not applicable
- (q) Not applicable

(r) As the permit assigned to the Respondent by the City of Portsmouth emanated from early to mid 1980 and due to the fact that said permit was utilized only three to five times over a one week period to transport non-hazardous materials to the Site by the Respondent, the Respondent has no knowledge of said permit number. In addition, the Respondent is unaware of the existence of any list of any or all other users of the landfill with or without assigned permit numbers.

15. No

- (a) Not applicable
- (b) Not applicable
- (c) Not applicable
- (d) Not applicable
- (e) Not applicable

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- (f) Not applicable
- (g) Not applicable
- (h) Not applicable
- (i) Not applicable
- (j) Not applicable
- (k) Not applicable
- (l) Not applicable
- (m) Not applicable
- (n) Not applicable
- (o) Not applicable
- (p) Not applicable
- (q) Not applicable
- (r) Not applicable

Upon information and belief, the above information provided pursuant to your correspondence of August 10, 1988 constitutes the extent of the Respondent's knowledge with respect to the Coakley Landfill Site. Should you have any questions concerning this matter, please direct all correspondence and inquiries to this office.

Sincerely yours,

  
MICHAEL JONES & WENSLEY

GDW/ds  
cc: Mr. Mitchell A. Hyder